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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,811	09/27/2001	Lee Adam Fisher	01.058.01	1189
23117	7590	03/22/2006	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			REVAK, CHRISTOPHER A	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/963,811		FISHER, LEE ADAM	
	Examiner		Art Unit	
	Christopher A. Revak		2131	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/12/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-16,18-30,32-51 and 53 is/are rejected.
- 7) ☒ Claim(s) 3,17, 31,52 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-53 have been considered but are moot in view of the new grounds of rejection.
2. Based on the applicant's amendments to the independent claims, the examiner has reconsidered the rejections of claims 3,17, and 31 in light of the teachings of Cheswick and the rejection is hereby withdrawn. The claims currently stand as being objected to and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,2,4-16,18-30,32-51 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheswick et al, US H1994 H in view of Muraoka, U.S. Patent 6,651,092.

As per claims 1,15,29, and 43, it is taught by Cheswick et al of a method and computer program product comprising a computer program operable to control a server computer, said computer program comprising address provision logic operable to

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control said server computer to provide an address for accessing a network to a client computer, in response to a request for an address from said client computer, token validation logic operable in response to said provision of said address to control said server computer to contact said client computer at said address and to detect a presence of a predefined token on said client computer (col. 2, lines 38-52; col. 3, lines 6-25; col. 4, lines 56-64; and as shown in Figure 5). The teachings of Cheswick fail to disclose of an address provided to the client computer. It is taught by Muraoka of assigning IP addresses to computers (col. 3, lines 52-56). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to apply IP address assignment with the motivation being that there exist a problem with a limit on the number of IP addresses and an IP address can be assigned that is specific based on the classification of the requesting client (col. 2, lines 21-24 & 45-48). It is obvious that the teachings of Cheswick would have found the teachings of Muraoka beneficial as an attempt to overcome the problems of the prior art due to limited IP address assignment whereby an IP address can be issued the client requesting one that which is particular to the requesting client.

As per claims 2,16, and 30, Cheswick et al discloses wherein said token validation logic is operable to control said server computer to check whether said detected predefined token is valid (col. 3, lines 10-16).

As per claims 4,18, and 32, it is disclosed by Cheswick et al that said token validation logic is operable to control said server computer to record machine data from said client computer if said token is not detected (col. 3, lines 53-67).

As per claims 5,19, and 33, Cheswick et al teaches that said token validation logic is operable to control said server computer to signal to said client computer that access has been denied if said token is not detected (col. 3, lines 10-16).

As per claims 6,20,34, and 45, the teachings of Cheswick et al disclose that the predefined token indicates the presence of software allowing remote configuration of said client computer (col. 3, lines 53-67).

As per claims 7,21,35, and 46, Cheswick et al discloses that said token validation logic is operable to control said server computer to install said remote configuration software on said client computer if said token is not detected (col. 3, lines 10-16 & 53-67).

As per claims 8,22,36, and 47, Cheswick et al recites that said predefined token indicates the presence of anti virus software on said client computer (col. 3, lines 64-67).

As per claims 9,23, and 37, it is disclosed by Cheswick et al wherein said server computer comprises a DHCP server and said address comprises an IP address (col. 4, lines 56-64).

As per claims 10,24, and 38, Cheswick et al teaches that said address provision logic is operable to control said server computer to request an address from a further server computer and to provide said address to said client computer (col. 4, lines 56-64).

As per claims 11,25,29,and 48, Cheswick et al discloses that said further server computer is a DHCP server and said address comprises an IP address (col. 4, lines 56-64).

As per claims 12,26,40, and 49, it is taught by Cheswick et al that said predefined token comprises files (col. 3, lines 6-13).

As per claims 13,27,41, and 50, the disclosure of Cheswick et al recites that said predefined token comprises a smart card (as shown in Figure 3 as item #200).

As per claims 14,28,42, and 51, Cheswick et al teaches that the predefined token comprises data identifying a hardware component of said client computer (col. 3, lines 10-13).

As per claim 44, it is disclosed by Cheswick et al of transmitting machine data about said client computer to said server computer in response to a request for said data from said server computer (col. 3, lines 6-13).

As per claim 53, the teachings of Cheswick are relied upon for use of a token that is validated and the teachings of Muraoka are relied upon for disclosing of an expiration date that is used for validation (col. 3, lines 54-57 and col. 4, lines 34-36), please refer above for the motivation for applying the teachings of Muraoka to the teachings of Cheswick.

Allowable Subject Matter

5. Claims 3,17,31, and 52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The closest prior art of Weitz, U.S. Patent 6,445,682 discloses of assigning an IP addresses in which a server assigns the IP address to particular computers using DHCP, the IP address is temporarily assigned and the IP address can be reclaimed at the expiration of a particular time period. The prior art fails to disclose of contacting a client computer at an address provided to the client computer to detect the presence of a predefined token on the client computer, the token is operable to control the server to check to see if it is valid and the token is operable to control the server to revoke the address from the client computer if the token is not detected or is not valid.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CR


March 19, 2006

CHRISTOPHER REVAK
PRIMARY EXAMINER

 3/19/06